

BOARD OF SUPERVISORS OF LOUDOUN COUNTY

A RESOLUTION CONCERNING THE COMMENCEMENT OF A PROCEEDING FOR IDENTIFYING FUTURE CABLE TELEVISION-RELATED COMMUNITY NEEDS AND INTERESTS AND REVIEWING THE PERFORMANCE OF VERIZON VIRGINIA INC. PURSUANT TO 47 U.S.C. § 546

WHEREAS, Verizon Virginia Inc. (“Verizon”), a Virginia corporation, currently holds a cable television franchise (the “Franchise”) authorizing Verizon to operate a cable television (“TV”) system for the provision of video services in Loudoun County, Virginia (the “County”); and

WHEREAS, the Franchise was issued by the Loudoun County Board of Supervisors (the “Board”) and became effective on June 26, 2006; and

WHEREAS, the Franchise expires on June 25, 2021; and

WHEREAS, by letter dated March 18, 2019, Verizon has submitted a written renewal notice, as permitted by 47 U.S.C. § 546, formally requesting that the Franchise be renewed; and

WHEREAS, 47 U.S.C § 546 provides that, not later than six months after the submission of such a request, a franchising authority must commence a proceeding for the purpose of identifying future cable-related community needs and interests and reviewing the performance of the cable TV service provider under the franchise; and

WHEREAS, pursuant to Virginia Code Section 15.2-2108.20 and Section 805.03 of the Loudoun County Codified Ordinances, the Board is the franchising authority for Loudoun County; and

WHEREAS, the Board wishes to commence the proceeding required by 47 U.S.C. § 546; and

WHEREAS, the Board wishes to give County staff initial guidance regarding the planning and conduct of the renewal proceeding, and to that end the Board also designates Ralph Buona, Vice Chairman, as liaison between the Board and the County Attorney, the Department of Information Technology and the Loudoun County Communications Commission regarding the renewal proceedings.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Loudoun County, Virginia, as follows:

Section 1. A proceeding for the purpose of identifying future cable TV-related community needs and interests and reviewing the performance of Verizon under the Franchise is hereby commenced.

Section 2. The County Administrator and the County Attorney are authorized to take the steps necessary to conduct such a proceeding in accordance with applicable law, subject to the oversight of the Board and with the technical assistance, when requested, of the Loudoun County Communications Commission (the "Commission"), as further described in Section 3 hereof. The Board designates Ralph Buona, Vice Chairman, as liaison between the Board and the County Attorney, the Department of Information Technology and the Commission regarding the renewal proceedings.

Section 3. (a) The Office of the County Attorney and the Department of Information Technology shall jointly develop a plan for identifying future cable TV-related community needs and interests and reviewing the performance of Verizon, in accordance with the formal renewal process described in 47 U.S.C. §§ 546(a) - (e) (the "Assessment Plan"). The Assessment Plan may include the retention of outside technical consultants to assist in: (i) identifying the community's future cable TV-related needs and interests; (ii) evaluating Verizon's compliance with the Franchise; and (iii) evaluating the condition of Verizon's system in the County. The Department of Information Technology shall be responsible for implementing the Assessment Plan, with the assistance, advice, and participation of the Office of the County Attorney.

(b) The Office of the County Attorney and the Department of Information Technology shall jointly develop and implement a plan for conducting informal negotiations with Verizon, as permitted by 47 U.S.C. § 546(h). The County Attorney shall be responsible for implementing the Negotiation Plan, with the assistance, advice, and participation of the Department of Information Technology.


(c) The Commission, upon request from the Office of the County Attorney or the Department of Information Technology, shall assist the Department of Information Technology, in conducting the Assessment Plan, by: (i) reviewing and commenting on the reports of any outside technical, non-legal, consultants engaged to assist with the Assessment Plan; (ii) providing the Department of Information Technology with information regarding Verizon's performance, as obtained by the Commission in the course of addressing customer service complaints from County residents, including complaints generated through the Loudoun Express Request ("LEx") system; and (iii) providing the Department of Information Technology with information regarding the community's cable TV-related needs and interests, as obtained by the Commission in the course of assessing comments from and concerns expressed to the Commission by County residents.

Section 4. This Resolution shall be effective immediately upon passage.

ADOPTED THIS 23rd DAY OF May, 2019.

COUNTY OF LOUDOUN, VIRGINIA, a political
subdivision of the Commonwealth of Virginia

By:


Phyllis J. Randall, Chair At-Large

ATTEST:



Clerk to the Board of Supervisors

APPROVED AS TO FORM:


Leo P. Rogers
County Attorney

